

6-01-04

9200/363 #9

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial Number: 09/771,457

Application Filed: 01/18/2001

Applicant's: App. #1

Cathy D. Santa Cruz  
7630 Tholl Drive  
Reno, Nv. 89506

ER619798345US

App. #2

Gordon E. Churchward  
270 Main St.  
Silver City, Nv. 89428

Application Title: "VERTICAL TELESCOPIC STAGE ACCESSORIES"

**EXAMINER: YIP, WINNIE S.**  
**ART UNIT: 3637**

TO: COMMISSIONER OF PATENTS AND TRADEMARKS  
WASHINGTON, DC 20231

**RECEIVED**  
JUN 07 2004  
**GROUP 3600**

**"RESPONSE TO DECISION ON PETITION TO  
WITHDRAW THE HOLDING OF ABANDONMENT"**

In reply to the "above identified" response dated 04/30/2004, I respectfully request the Examiner to kindly reinstate the application upon further consideration of the following:

**"RENEWED PETITION TO WITHDRAW THE HOLDING OF  
ABANDONMENT UNDER 37 CFR 1.81."**

**"EXAMINERS REMARKS"**

"The petition is **DISMISSED**."

"A review of the file record indicates that the application was held abandoned for failure to timely respond to the letter of Informal Amendment mailed November 6, 2002."

“The requirements for filing a grantable petition in the case of a correspondence mailed using “Express Mail” and never received by the Office are outlined in 37 CFR 1.10(e) and include the following items A-D”, etc.”

“In this case, applicant’s petition lacks item (D). A statement signed by the person who signed the Express Mail receipt, attesting on a personal knowledge basis to the timely transmission of the response on the date indicated on the Express Mail receipt is required.”

#### **APPLICANTS REPLY (STATEMENT)**

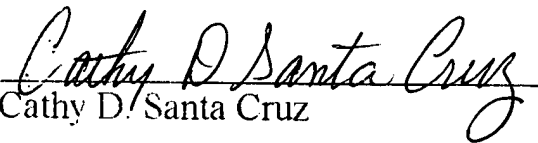
In accordance with the noted CFR requirements as herein defined, please enter and consider my “statement” which complies to the best of my ability with the regulations and the Examiner’s request as follows:

“I Cathy D. Santa Cruz do hereby acknowledge and wish to confirm that I did in fact mail via the Post Office the “Express package” item no. ET 202692724 US, on 12/04/02 at 12:05 PM and which contained the “REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR

1.121), a M/O for the required funds, and an accompanying pre-paid post card as required. I further confirm that the "Express Mail" mailing label, the correspondence, mailing label and returned postcard receipt as previously provided therewith are true copies of the originals as mailed and that this information and my statement are true to the best of my knowledge.

Therefore, I hereby respectfully request the Examiner to enter my Statement accordingly and to thus re-instate the application and to withdraw the Abandonment in accordance with CFR regulations.

Very respectfully,

  
Cathy D. Santa Cruz



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**ART UNIT: 3637**

Name of paper(s) being filed: **"RENEWED PETITION TO WITHDRAW  
HOLDING OF ABANDONMENT UNDER 37  
CFR 1.81"**

**CERTIFICATE OF MAILING**  
PURSUANT TO 37 C.F.R. 1.8 (c)

"I hereby certify that this correspondence is being deposited with the United States Postal Service as **Express mail** in an envelope addressed to;

Commissioner for Patents PO BOX 1450  
Attention: Randolph A. Reese  
Special programs Examiner  
Technology Center 3600  
Alexandria, VA 22313-1450

on 5/28/04".

NAME OF APPLICANT, ASSIGNEE, OR REGISTERED REPRESENTATIVE;

Cathy D. Santa Cruz  
Cathy D. Santa Cruz